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EXAMINER

CHUONG, TRUC T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 06/18/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/614,852

Applicant(s)

KLUTTZ ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondenc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____.

DETAILED ACTION

1. This communication is responsive to Amendment A, filed 03/25/03.
2. Claims 1-29 are pending in this application. Claims 1 and 21 are independent claims. In Amendment A, claim 21 is amended, and claims 26-29 are new claims. This action is made final.

Claim Rejections - 35 USC § 112

3. Claims 27 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 27 and 29 recite "...an extension and wherein said file types are dictated by said extension and said first part computer said portion." is unclear. Examiner will interpret the claims as "there are identical type of file names with the same extensions" when rejecting claims 27 and 29.
5. Claims 28 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 28 and 29 recite the limitation "the method of claim 25" and "the method of claim 28". There is insufficient antecedent basis for this limitation in the claim.

The applicant recites "the method of claim 25" and "the method of claim 28" in claims 28 and 29, but claim 25 is a computer program product claim (not a method claim). For the purpose of art rejection, examiner will assume that claims 28 and 29 are program product claims.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-8 and 10-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Mishra et al. (U.S. Patent No. 5,805,118).

As to claim 1, Mishra teaches a method of providing an interface with displayable computer files on a computer display (workspace, col. 4 lines 8-22 and 59-65), said method comprising the steps of:

1. displaying a first displayable file on said computer display in a manner customized by an operator of said computer (a person reviewing/configurating documents, col. 4 lines 8-21, and customization, col. 7 lines 38-57);

2. storing data indicating a value of at least one attribute of the manner in which said first file was displayed associated with data indicating a type of said first file (DImage record structure, col. 13 lines 1-11, col. 9 lines 45-62, and save col. 24 lines 28-31, col. 25 lines 1-11); and

3. when the next file of the type of said first file is opened by an operator for display, displaying said next file having the same value of said attribute as said first file (Display Generation Algorithm, col. 24 lines 41-59, col. 11 lines 59-62).

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As to claim 2, Mishra teaches storing the value when the first file is closed by an operator (the user might want to dismiss, col. 4 lines 28-32, store before exiting, col. 29 lines 26-35).

As to claim 3, Mishra teaches the stored value is an attribute value of the first file when it is closed (presentation properties, col. 13 lines 9-11 and lines 33-40).

As to claim 4, Mishra teaches a time selected by said operator (time stamp, col. 13 line 35).

As to claim 5, Mishra teaches a size of a window (size, col. 13 line 10).

As to claims 6, 7, and 11, Mishra teaches a position of a said window (see “presentation properties” in claim 3 above; position, col. 9 lines 45-61, and col. 11 lines 42-46).

As to claim 8, Mishra teaches in displaying a set of related images (col. 3 line 59), and all others well-known in the art (filename extensions such as: .gif, .jpg, .txt, .doc, etc.) inherently show a file or an image which has their own extension of said first file.

As to claim 10, Mishra teaches reading table to determine said attribute (col. 19 lines 66-67, and col. 20 lines 1-6 and 42-45).

As to claim 12, Mishra inherently teaches a second displayable file (sets of images (more than one file or image) being viewed, cols. 11 and 12 lines 55-62 and 1-25), and Mishra also teaches the whole set of images, files or all other last state of configurations will be saved for any review (col. 25 lines 1-11); and further steps of:

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4. displaying a second displayable file simultaneously with said the first file (displays entire set of images, col. 12 lines 36-45) on said computer display in a manner selected by said operator;

5. storing data associated with said type of said first file indicating at least a type of said second file relative to said first file (Note the rejection of claim 1 step 2 above); and

6. when a next file of the type of said first file is opened for display, automatically open a next file of the same type as said second file and having the same relationship to said next file as said second file had to said first file (Note the rejection of claim 1 step 3 above).

As to claim 13, note the rejection of claims 12 and 2 above.

As to claim 14, note the rejection of claims 1, 12 and 13 above.

As to claim 15, note the rejection of claim 2 above.

As to claim 16, note the rejection of claim 3 above.

As to claim 17, note the rejection of claim 4 above.

As to claim 18, note the rejection of claim 5 above.

As to claim 19, note the rejection of claim 6 above.

As to claim 20, note the rejection of claim 7 above.

As to claim 21, it is a computer product claim that corresponds to the method of claim 1, note the rejection of claim 1.

As to claim 22, it is a computer product claim that corresponds to the method of claim 2, note the rejection of claim 2 above.

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As to claim 23, it is a computer product claim that corresponds to the method of claim 8, note the rejection of claim 8 above.

As to claim 24, it is a computer product claim that corresponds to the method of claim 11, note the rejection of claim 11 above.

As to claim 25, it is a computer product claim that corresponds to the method of claim 12, note the rejection of claim 12 above.

As to claim 26, Mishra teaches the method of claim 12 wherein said relationship comprises said first and second files having file names with names with identical portions (Adding a temporary variable to the end of images/files sets to specify the specific set of images/files, col. 24 lines 4-19).

As to claim 27, the method of claim 26 wherein said file memos each comprise a first and an extension and wherein said file types are dictated by said extension and said first part computer said portion. This claim can be rejected under similar rationale to claims 8 and 26 above.

As to claim 28, it is individually similar in scope to claim 26; therefore, rejected under similar rationale.

As to claim 29, it is individually similar in scope to claim 27; therefore, rejected under similar rationale.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mishra et al. (U.S. Patent No. 5,805,118) in view of Rosen et al. (UNIX System V Release 4: An Introduction, 1996).

As to claim 9, Mishra teaches filename extensions (note the rejection of claim 8 above), but Mishra does not teach a filename with multiple extensions. However, Rosen et al. clearly explain in their book that a UNIX file or files can be use more than one filename extension (page 60 last paragraph). It would have been obvious, at the time Rosen's invention, a person with ordinary skill in the art would add the feature of multiple extensions into Mishra's display to improve file execution abilities (with more than one command) in UNIX environment (page 60 last paragraph).

Response to Arguments

10. Applicant's arguments filed in Amendment A have been fully considered but they are not persuasive.

Applicants argued the following:

- a. Mishra does not disclose file types or of remembering the size, position or any other attribute of a window associated with a particular file type.
- b. Mishra's invention does not involve any dependence on file type determination, storing the user settings when a last file of a particular file type was closed and using those settings for all subsequent files of the same file type.

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- c. Mishra does not disclose a user configurable workspace comprising multiple windows of size and position selected by the user.
- d. Mishra does not teach the software automatically will open up subsequent files of the same type (e.g. same file name extension) with the same configuration.
- e. There is no disclosure of displaying other files based on the way previous files were displayed.
- f. Mishra does not disclose the next file having the same value as the first file.
- g. Mishra does not disclose applying the parameters used in connection with one image to another image based on file type.
- h. Mishra teaches "Review Sets" which has nothing to do with the invention.

Examiner disagrees for the following reasons:

As per (a), Mishra teaches file types or of remembering the size, position or any other attribute of a window associated with a particular file type (col. 9 lines 45-67, col. 13 lines 1-11).

As per (b), Mishra's invention involves dependence on file type determination, storing the user settings when a last file of a particular file type was closed and using those settings for all subsequent files of the same file type (col. 9 lines 45-61, and save configuration type, col. 25 lines 4-31).

As per (c), Mishra teaches a user configurable workspace comprising multiple windows of size and position selected by the user (multiple screens, col. 4 lines 8-21).

As per (d), Mishra's software automatically will open up subsequent files of the same type (e.g. same file name extension) with the same configuration (workspace configuration, col.

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13 lines 35-40, uses the layout algorithm to generate a LayoutInfo array with positions and virtual pages for the new image sets, col. 11 lines 55-62).

As per (e), Mishra discloses the displaying of other files based on the way previous files were displayed (col. 11 lines 55-63, and col. 25 lines 4-36).

As per (f), Mishra discloses the next file having the same value as the first file (col. 11 lines 55-63, and col. 25 lines 4-36).

As per (g), Mishra discloses the applying of parameters used in connection with one image to another image based on file type (temporary variable, col. 24 lines 23).

As per (h), "Review Sets" maintains information of all images in the standard workspace configurations (col. 13 lines 32-40).

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong
June 16, 2003

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